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THE HONOURABLE SRI JUSTICE L. NARASIMHA REDDY

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Writ Petition No. 10899 OF 2006

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Dated: 01.06.2006

Between:

1. Kappala Chinna Papanna, S/o late Ajjappa, aged about 58 years, Occ: Cultivation,
resident of Neerugattivaripalli, Mandanapalli Mandal, Chittoor District and others

..... PETITIONERS

AND

1 The District Collector, Chittoor, Chittoor District and others

Respondents.

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Writ Petition No. 10899 OF 2006

ORDER:

The petitioners were granted DKT pattas in respect of Ac. 01. 95 cents and Ac. 0.91 cents of land of Kollabailu Village of Madanapalli Mandal of Chittoor District in the year 1994. The Mandal Revenue Officer, Madanpalle, the 3rd respondent herein, issued show cause notices to the petitioners directing them to explain as to why the pattas shall not be cancelled on the ground that the land has become useful for grant of house site pattas to the poor. The petitioners have submitted their explanations. Through proceedings dated 27.4.2006, the 3rd respondent cancelled the DKT pattas. Aggrieved thereby, the petitioners preferred appeal before the 2nd respondent together with an application for stay. The grievance of the petitioners is that the 2nd respondent has not passed any orders on the application for stay and in the meanwhile the 3rd respondent is trying to dispossess them. The petitioners would place reliance upon certain interim orders granted by this Court in Writ Petition No. 8466 of 2006.

Heard the learned counsel for the petitioners and the learned Government Pleader for Revenue.

The petitioners had already availed the remedy of appeal before the 2nd respondent

and by the proceedings dated 27.4.2006 issued by the 3rd respondent, if they are dispossessed even while the appeal is pending, nothing remains to be adjudicated and the said appeal would become infructuous.

Hence, the writ petition is disposed of directing that the proceedings dated 27.4.2006 issued by the 2nd respondent shall stand stayed and the petitioners shall not be dispossessed from the lands in question till the 2nd respondent disposes of the appeal.

The writ petition is accordingly disposed of. No costs.

L. NARASIMHA REDDY,J

DATE: 01.06.2006

PNB/ka